

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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LYLE E. DICKSON,

Plaintiff,

v.

STATE of NEVADA, et al.,

Defendants.

Case No. 2:21-cv-00999-JAD-EJY

ORDER

The Court previously screened Plaintiff's Complaint pursuant to 28 U.S.C. § 1915(e)(2) and recommended that his Title VII claims for sex discrimination and retaliation against the State of Nevada and the Nevada Housing Division, as well as his relief request for job reinstatement, proceed. ECF No. 3. The Court further recommended that Plaintiff's AEDA claims, Title VII claims against individual defendants, Title VII race discrimination claims, state law claims, and requests for relief involving monetary damages and retroactive injunctive relief be dismissed. *Id.* While this recommendation was pending, Plaintiff filed an Amended Complaint. ECF No. 5. On June 23, 2021, District Judge Dorsey adopted the recommendation, and referred this matter to the undersigned "to determine whether further screening is necessary or to issue a further order regarding summons and service." ECF No. 7 at 2.

Plaintiff's Amended Complaint proceeds only against the State of Nevada and the Nevada Housing Division for sex discrimination and retaliation claims pursuant to Title VII, pursuant to the Court's orders. However, Plaintiff reasserts his requests for monetary damages like back pay, compensatory damages, and punitive damages. ECF No. 5 at 7 ¶¶ D-G. Those damages requests have been dismissed with prejudice. ECF No. 7 at 2. Therefore, the Court strikes those requests from Plaintiff's Amended Complaint.

Because the rest of Plaintiff's Amended Complaint complies with the Court's orders, it may proceed against the State of Nevada and the Nevada Housing Division. Because of the delay in

1 screening Plaintiff's Amended Complaint, the Court exercises its authority to grant Plaintiff an
2 extension of time to effect service in compliance with Federal Rules of Civil Procedure 4.

3 Accordingly,

4 IT IS HEREBY ORDERED that Plaintiff's Amended Complaint may proceed except
5 Plaintiff's dismissed requests for relief (ECF No. 5 at 7 ¶¶ D-G) that are STRUCK from the
6 Amended Complaint.

7 IT IS FURTHER ORDERED that the Clerk of Court shall issue Plaintiff's proposed
8 summonses (ECF No. 6).

9 IT IS FURTHER ORDERED that Plaintiff shall include a copy of this Order, along with his
10 Amended Complaint, when he serves Defendants with the issued summonses, which must be served
11 no later than November 4, 2021.

12 Dated this 6th day of August, 2021.

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16 ELAYNA J. YOUCHAH
17 UNITED STATES MAGISTRATE JUDGE
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